S.B. Criminal Misc. Bail Application No.6580/2006
Rajiv Kumar Shah and another Vs. State of Rajasthan
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S.B. Criminal Misc. Bail Application No.6579/2006
Smt. Pushplata Shah Vs. State of Rajasthan

Date Of Order :: 13.11.2006

Hon'ble Mr. Justice Jitendra Ray Goyal

Mr. N.C. Chaudhary, counsel for petitioners.
Mr. R.P. Kuldeep, Public Prosecutor for State.
Mr. S.R. Bajwa, Senior Counsel with
Mr. V.R. Bajwa for complainant.

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Since both the anticipatory bail applications pertain to and arise out of the common FIR No.208/2006 registered at Police Station Moti Dungari, Jaipur for the offence under sections 406, 420 & 120B IPC, hence they are being disposed of by this common order.

Heard learned counsel for accused petitioners as well as complainant, learned Public Prosecutor for the State and perused the material produced during the course of arguments.

It is contended on behalf of the accused petitioners that civil dispute has been converted into criminal matter. It is further contended which has not been controverted by the counsel appearing for the complainant that parties have entered into amicable settlement and part payment has already been made in regard to the disputed amount.

Learned counsel appearing for the complainant does not oppose both the bail applications.

Without making any observation on merits, having considered the rival submissions made at the bar, nature of allegations, material on record, all other facts and circumstances and the fact that this is a dispute in regard of business transactions and their dispute is stated to have been resolved amicably, I deem it proper to grant the benefit of pre-

arrest bail to accused petitioners Rajiv Kumar, Sanjay Kumar and Smt. Pushplata.

In the result, both the bail applications are allowed and it is directed that in the event of arrest of petitioners Rajiv Kumar, Sanjay Kumar and Smt. Pushpalata, they shall be released on bail by the concerned SHO/Investigating Officer in FIR No.208/2006 registered at Police Station Moti Dungari, Jaipur provided each of them furnishes a personal bond in the sum of Rs.10,000/- together with two sureties each in the sum of Rs.5,000/- to his satisfaction on the following conditions:-

1. that the petitioners shall make themselves available for interrogation by a police officer as and when required;
2. that the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or any police officer; and
3. that the petitioners shall not leave India without previous permission of Court.

(J.R. Goyal),J.

VS Shekhawat/-
Jr.P.A.